

Message Text

UNCLASSIFIED

PAGE 01 WELLIN 01103 250531Z
ACTION SNM-02

INFO OCT-01 EA-09 IO-13 ISO-00 AGRE-00 IGA-02 AID-05
MED-03 DODE-00 HEW-06 L-03 H-02 CIAE-00 INR-07
JUSE-00 NSAE-00 TRSE-00 USIA-15 NSC-05 OES-06
OMB-01 /080 W
-----250535Z 095339 /17

P R 250412Z MAR 77
FM AMEMBASSY WELLINGTON
TO SECSTATE WASHDC PRIORITY 2921
INFO USMISSION GENEVA
AMEMBASSY MANILA
DEA HQS WASHDC

UNCLAS WELLINGTON 1103

MANILA FOR DEA

E.O. 11652: N/A
TAGS: SNAR
SUBJECT: CONGRESSIONAL HEARINGS ON DECRIMINALIZATION OF
MARIJUANA

REF: STATE 057902

1. NEW ZEALAND LEGISLATION GOVERNING THE USE OF AN
TRAFFICKING IN ILLICIT NARCOTICS WILL BE REPEALED ON
JUNE 1, 1977. NEW LEGISLATION, MISUSE OF DRUGS ACT OF
1975, WILL COME INTO FORCE ON THAT DATE. FOLLOWING
REMARKS CONFINED TO NEW LEGISLATION.

2. UNDER NEW LEGISLATION CANNABIS IS DEFINED IN THREE
DIFFERENT FORMS:

(A) CANNABIS PLANT MATERIAL (ANY PART OF PLANT EXCEPT
PART FROM WHICH ALL RESIN HAS BEEN EXTRACTED);

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 WELLIN 01103 250531Z

(B) CANNABIS RESIN, EXTRACTS AND TINCTURES OF CANNABIS,
EXCEPT WHEN OCCURRING IN NATURAL PREPARATIONS SUCH
AS HASHISH;

(C) TETRAHYDROCANNABINOLS.

3. INTENTION OF LEGISLATION IS TO SCALE MAXIMUM

PENALTIES AVAILABLE FOR OFFENSES INVOLVING CANNABIS
IN RELATIONSHIP TO THEIR POTENTIAL FOR HARM, I.E.
POTENCY. THE MAXIMUM PENALTIES ARE AS FOLLOWS:

(A) FOR DEALING IN CANNABIS LEAF MATERIAL, MAXIMUM
PENALTY IS NOW EIGHT YEARS' IMPRISONMENT WHERE OFFENDER
IS PROCEEDED AGAINST THE SUPREME COURT OR ONE YEAR'S
IMPRISONMENT WHERE MATTER IS HEARD IN MAGISTRATE

COURT (LAW ALSO PROVIDES FOR FINE NOT EXCEEDING \$1,000);

(B) WHERE CHARGE RELATES TO THE DEALING IN CANNABIS
RESIN, I.E. HASHISH, MAGISTRATE MAY IMPOSE TWO YEARS'
IMPRISONMENT AND/OR FINE NOT EXCEEDING \$2,000, NAD
JUDGE IN SUPREME COURT COULD IMPOSE MAXIMUM OF
TEN YEARS' IMPRISONMENT;

(C) WHERE OFFENSE INVOLVES TETRAHYDROCANNABINOL (A
FORM OF CANNABIS NOT SEEN IN NEW ZEALAND TO DATE),
MAGISTRATE COULD IMPOSE TERM NOT EXCEEDING THREE YEARS'
IMPRISONMENT OR FINE NOT EXCEEDING \$3,000 WHEREAS JUDGE
COULD IMPOSE MAXIMUM OF 14 YEARS' IMPRISONMENT.

4. UNDER CURRENT LEGISLATION NO DIFFERENTIATION WAS
MADE BETWEEN DIFFERENT FORMS OF CANNABIS. THEREFORE
JUDGE COULD IMPOSE UP TO 14 YEARS' IMPRISONMENT AND
MAGISTRATE THREE YEARS' IMPRISONMENT, IRRESPECTIVE OF
FORM OF CANNABIS INVOLVED.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 WELLIN 01103 250531Z

5. A NEW SECTION HAS BEEN INTRODUCED IN MISUSE OF
DRUGS ACT WHICH REDUCES THE GRATIS GIVT OF CANNABIS
LEAF MATERIAL TO A PERSON OVER THE AGE OF 18 YEARS TO
A PURELY SUMMARY OFFINSE, WITH MAXIMUM OF THREE MONTHS'
IMPRISONMENT AND/OR FINE OF \$500.

6. NE ACT IS DESIGNED TO REFLECT PUBLIC OPINION
TOWARDS USE, ABUSE, AND TRAFFICKING IN CANNABIS AS
OPPOSED TO SO-CALLED HARD DRUGS.

7. THERE WILL BE NO LESSENING OF CONTROLS CONCERNING
USE OF CANNABIS, BUT AS PARLIAMENT HAS CONSIDERED ITS
USE AMONG LESS SERIOUS OFFENSES, IT IS EXPECTED TO BE
DEALT WITH ACCORDINGLY.

8. COPY OF MISUSE OF DRUGS ACT BEING POUCHED TO DEPT.

9. NOTE: PENALTIES REFERRED TO IN PARA 3 ARE
MAXIMUMS. BOTH JUDGES AND MAGISTRATES ARE FREE TO

IMPOSE LESSER PENALTIES, SOME OF WHICH MAY BE
MARKEDLY LESS. BASED ON PAST PERFORMANCE, PENALTIES
FOR DEALERS CAN BE EXPECTED TO BE HARSH. TRAIL IN
MAGISTRATES COURT IS WITHOUT JURY. EITHER DEFENSE
OR PROSECUTION CAN REQUEST SUPREME COURT TRIAL.
SELDEN

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, DRUG ABUSE
Control Number: n/a
Copy: SINGLE
Sent Date: 25-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977WELLIN01103
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770102-0471
Format: TEL
From: WELLINGTON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770319/aaaaaqsd.tel
Line Count: 122
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a1063ab1-c288-dd11-92da-001cc4696bcc
Office: ACTION SNM
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 57902
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2987936
Secure: OPEN
Status: NATIVE
Subject: CONGRESSIONAL HEARINGS ON DECRIMINALIZATION OF MARIJUANA
TAGS: SNAR, NZ
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a1063ab1-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009